



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

October 30, 2015

Mr. Paul Worley, C.P.M. Director
NCDOT Rail Division
1553 Mail Service Center
Raleigh, North Carolina 27699-1553

SUBJ: Tier II Final Environmental Impact Statement (FEIS)
Final Section 4(f) Evaluation for the
Southeast High Speed Rail (SEHSR),
Richmond, Virginia to Raleigh, North Carolina
State Project No.: 9.9083002; FRA-D40344-00
CEQ No. 20150259

Dear Mr. Worley:

The U.S. Environmental Protection Agency (EPA), Regions 4 and 3, have reviewed the subject document and are commenting in accordance with Section 309 of the Clean Air Act (CAA) and Section 102(2)(C) of the National Environmental Policy Act (NEPA). We are providing cooperating agency input for your consideration, and appreciate your continuing coordination with us regarding this important project.

The Federal Railroad Administration (FRA), North Carolina Department of Transportation (NCDOT) Rail Division, and the Virginia Department of Rail and Public Transportation (DRPT) are proposing rail and associated roadway improvements for the SEHSR Corridor for an approximate distance of 162 miles between Richmond, Virginia and Raleigh, North Carolina. The proposed project involves development, implementation, and operation of a high speed rail (HSR) passenger service. The Preferred Alternative utilizes approximately 60% of existing rail lines. With appropriate disclosure, continued coordination with nearby communities, and effective mitigation, this project is expected to address connectivity needs, air quality concerns, roadway and airport congestion, and other needs that were identified.

The EPA supports the development of mass transit in Virginia and North Carolina, such as high-speed passenger rail, as it provides an alternative to the sole reliance on highways for transportation demand, and it provides potential environmental air quality benefits. We also support the proposed project's purpose and need, and the use of existing rail lines and existing right-of-ways (ROWs) to the extent feasible.

Projected benefits of the project include decreased automobile vehicle miles traveled (VMT), resulting in beneficial outcomes of the project related to climate change and greenhouse gas (GHG) emissions.

Evaluation of adaptation measures related to climate change parameters and evaluation of emissions of GHGs should take place as the project proceeds. The EPA recommends that the FRA refer to the Council on Environmental Quality's 2014 Revised Draft Guidance for Greenhouse Gas Emissions and Climate Change Impacts, and incorporate relevant and appropriate information in the Record of Decision (ROD). Please see: <https://www.whitehouse.gov/administration/eop/ceq/initiatives/nepa/ghg-guidance>.

The EPA acknowledges the FRA's responses to our comments regarding the Draft EIS (DEIS) that are included in Chapter 8 of this FEIS. The EPA continues to have some environmental concerns regarding this proposed project, and these concerns should be addressed as the project progresses. Specifically, a compensatory mitigation plan (compliant with the 2008 EPA/USACE Final Mitigation Rule under 40 CFR 230 Subpart J) will need to be developed during the Clean Water Act Section 401/404 permitting process, as noted in the 'Project Commitments' section of the FEIS. Updated and accurate jurisdictional determinations of waters of the United States for the project corridor are highly encouraged to facilitate permitting activity that will affect aquatic resources.

To minimize noise impacts, the FEIS also proposes to eliminate all at-grade crossings to avoid horn noise in the project corridor. In addition, the FEIS also states that a detailed noise analysis will be conducted during the final design of the project. The FEIS notes that vibration mitigation may be required for the areas where noise vibration impacts exist, and lists mitigation measures developed from extensive community outreach efforts. We recommend that post-construction impacts be evaluated to determine whether further measures or mitigation is needed for noise or vibration impacts during the operations phase of the project.

The FEIS addresses concerns related to health, Environmental Justice and vulnerable populations along the corridor, such as children and the elderly. A pedestrian bridge at Wake Forest Elementary School is proposed, in order to provide access for students to safely cross over the train tracks. Coordination with local communities should continue as the project proceeds. Also, documentation of National Historic Preservation Act (NHPA) Section 106 project commitments are to be included in the forthcoming ROD for the project as noted in the FEIS.

Please send us a copy of the ROD when it becomes available. If you have any questions concerning this letter, please contact Ramona McConney of my staff at (404)562-9615, or by e-mail at mccconney.ramona@epa.gov.

Sincerely,



Christopher A. Militscher
Chief, NEPA Program Office
Resource Conservation and Restoration Division

cc: Barbara Okorn, USEPA Region 3
John Winkle, FRA
Jennifer Mitchell, DRPT